

Order

Michigan Supreme Court
Lansing, Michigan

May 14, 2010

Marilyn Kelly,
Chief Justice

140111

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

KEVIN ZOERMAN,
Plaintiff-Appellee,

v

SC: 140111
COA:285105
Kent CC: 06-009271-NF

TITAN INSURANCE COMPANY,
Defendant-/Third-Party
Plaintiff-Appellant,

and

BRANDY ZOERMAN,
Third-Party Defendant.

On order of the Court, the application for leave to appeal the October 20, 2009 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

MARKMAN, J. (*dissenting*).

I respectfully dissent from this Court's order denying defendant's application for leave to appeal for the reasons set forth in my dissent from the order denying defendant's motion for reconsideration of our earlier order denying leave to appeal in *Detroit Medical Ctr v Titan Ins Co*, 485 Mich 1008 (2009) (reported below: 284 Mich App 409 [2009]), recon den May 14, 2010 (SC 138869).

CORRIGAN, J., joins the statement of MARKMAN, J.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 14, 2010

Corbin R. Davis

Clerk